

REMARKS

At the time the Office Action issued, claims 1 – 12 and 27 to 29 were pending. In the Office Action mailed May 27, the Examiner rejected all claims under 35 USC § 102(a) as anticipated by US Patent 6,333,699 to Zierolf.

Claim rejections under 35 USC § 102

In the support of the rejection, the Examiner asserts that Zierolf discloses “a marker. . . arranged in a cavity (20) that has been created in an end surface of at least one of the tubulars and where the end surface is pressed against or welded to an end surface of an adjacent tubular.” Applicants respectfully submit that both assertions are in error.

First, Zierolf does not disclose a tubing string in which the end surface of one tubular is pressed against or welded to an end surface of an adjacent tubular. Rather, adjacent tubular sections 12 are joined by a coupling sleeve, which spans the joint. In fact, at col. 8, lines 12-14, Zierolf states that “Such joints 14 generally include at least a slight gap 20 between each connecting end 16 of the casing or pipe sections 12.” A gap between adjacent ends is not the same as ends that press against each other or are joined by welding. Therefore, at least this claim element is missing from the reference.

Second, Zierolf does not disclose a marker arranged in a cavity that has been created in an end surface of at least one of the tubulars. The marker 30 of Zierolf is in or on an O-ring that is in the gap between the tubular ends. Neither of the adjacent tubular ends in Zierolf includes a cavity, so this claim element is also missing from the reference.

Likewise, because it does not disclose all of the claim elements, Zierolf cannot serve as the basis for an obviousness rejection.

Claim rejections under 35 USC § 103

The rejection of claim 9 is based on an assertion that it would be obvious to replace the coupling sleeve 18 with a weld. Applicant respectfully submits that

replacing Zierolf's coupling sleeve 18 with a weld would not result in a device meeting the limitations of the present claims. If the ends of adjacent sections were welded together, there would be nowhere for O-ring 22 or marker 30 to be placed. If the marker were present, it would have to be outside the tubular or in the bore, as there is no wall cavity in which it could be placed.

Additional Arguments

The foregoing arguments notwithstanding, Applicants have amended independent claims 1 and 8 to further emphasize the distinction between the references and the present invention, by requiring that the joining of the tubular ends results in sealing the cavity. This limitation is also not present in the art.

Concluding remarks

Attorney has addressed each ground for rejection raised by the Examiner in the Office Action. Attorney respectfully submits that the claims are in condition for allowance, and as such prompt issuance of a Notice of Allowance is respectfully requested.

In the event the Examiner has any questions or issues regarding the present application, the Examiner is encouraged to telephone the undersigned prior to the issuance of any written action.

Respectfully submitted,
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